

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF MARYLAND  
AT BALTIMORE**

**IN RE:**

\*

**LA MESA RACING, LLC,**

\*

**CASE No.: 07-17069-NVA**

**DEBTOR.**

\*

**(CHAPTER 11)**

\* \* \* \* \*

**PARTY-IN-INTEREST STEPHEN A. VINCENT’S OBJECTION TO PROOF OF CLAIM  
FILED BY ZOKAITES PROPERTIES, LP**

Party-in-Interest, Stephen A. Vincent, by his attorneys and pursuant to 11 U.S.C. §§ 105 and 502, Federal Rule of Bankruptcy Procedure 3007 and Local Bankruptcy Rule 3007-1, files this Objection to the proof of claim filed by Zokaite Properties, LP (“Zokaite Properties”), and for cause states:

**JURISDICTION AND VENUE**

1. This Court has jurisdiction to consider this Objection under 28 U.S.C. §§ 157 and 1334. This is a core proceeding under 28 U.S.C. § 157(b). Venue of this case and this Objection is proper under 28 U.S.C. §§ 1408 and 1409.

**SUMMARY OF ARGUMENT**

2. By this Objection, Mr. Vincent moves for the disallowance of the proof of claim filed by Zokaite Properties on October 14, 2009 and docketed in the claims register as claim number 3 (the “Proof of Claim”). Mr. Vincent objects to the Proof of Claim because debtor-in-possession, La Mesa Racing, LLC (“Debtor”), had correctly scheduled the claim amount in its bankruptcy schedules without prior objection and because the Proof of Claim is not adequately supported.

### RELEVANT FACTS AND PROCEDURAL HISTORY

3. Transamerican Commercial, Ltd. (“TCL”) commenced this bankruptcy case on July 31, 2007, by filing an involuntary petition against Debtor for relief under Chapter 7 of Title 11 of the United States Code.

4. TCL is an entity formed by William L. Siskind and owned by The Enterprise Trust (the “Trust”). Mr. Siskind formed the Trust in 1991 for the benefit of Judith Siskind, his spouse, and Jeffrey Siskind and Wendy Siskind Buckingham, his children. The main asset of the Trust is the 100% ownership of TCL.

5. TCL is an alter ego of Mr. Siskind and an insider of Debtor.

6. Wendy Buckingham, the Vice President of TCL and Mr. Siskind’s daughter, executed the involuntary petition against Debtor on behalf of TCL.

7. Mr. Siskind filed a *Consent to Order for Relief* [Docket No. 6], purportedly in his capacity as a member of Debtor. Mr. Siskind subsequently filed a *Motion to Convert Case from Chapter 7 to Chapter 11* [Docket No. 7], again purportedly in his capacity as a member of Debtor.

8. On August 20, 2007, the Court entered an *Order Entering Relief Under Chapter 7 on Involuntary Petition and Directing Compliance with Filing Requirements* [Docket No. 9] and an *Order Converting Chapter 7 Case to a Case Under Chapter 11 on Debtor’s Request* [Docket No. 10].

9. On September 17, 2007, Debtor filed its bankruptcy schedules, including its *Schedule F* [Docket No. 36] (“Schedule F”). Debtor scheduled TCL as unsecured creditor in its Schedule F, holding an unsecured nonpriority claim in the amount of

\$151,500.00. A copy of Debtor's Schedule F is attached hereto as Exhibit 1 and incorporated herein by reference.

10. Debtor filed its *Disclosure Statement* (the "Disclosure Statement") and *Chapter 11 Plan of Reorganization of La Mesa Racing, LLC* (the "Chapter 11 Plan") [Docket No. 149] on July 10, 2009. The Court has not yet entered an order approving the Disclosure Statement or confirming the Chapter 11 Plan.

11. Debtor filed an *Amended Schedule F* [Docket No. 154] ("Amended Schedule F") on August 25, 2009. The Amended Schedule F omitted TCL in its entirety. A copy of Amended Schedule F is attached hereto as Exhibit 2 and incorporated herein by reference.

12. TCL did not object to its omission from Schedule F, nor did TCF object to the Disclosure Statement.

13. Zokaite Properties filed its Proof of Claim on October 14, 2009. A copy of the Proof of Claim is attached hereto as Exhibit 3 and incorporated herein by reference.

14. According to the Proof of Claim, Zokaite Properties purportedly is the assignee of TCL and holds a general unsecured, nonpriority claim in the amount of \$220,359.86 as of the date of filing the Proof of Claim. Aside from its attachment itemizing its statement of interest, the Proof of Claim is devoid of any supporting material relating to the basis and amount of the claim.

**LEGAL STANDARD FOR ALLOWANCE AND DISALLOWANCE OF PROOFS OF CLAIM**

15. Under Bankruptcy Rule 3001(f), a properly filed proof of claim is prima facie evidence of the validity and amount of the claim, and is deemed allowed unless objected to by a party in interest. FED. R. BANKR. P. 3001(f); 11 U.S.C. § 502(a).

16. The Bankruptcy Code and Bankruptcy Rules establish a “burden-shifting framework for proving the amount and validity of a claim. . . .” Stancill v. Harford Sands, Inc. (In re Harford Sands, Inc.), 372 F.3d 637, 640 (4<sup>th</sup> Cir. 2004). Under this framework, the objecting party must produce evidence sufficient to overcome the presumptive validity and amount of a properly filed claim. Id. at 640 (citations omitted). If the objecting party produces sufficient evidence, the claimant “has the ultimate burden of proving the amount and validity of the claim by a preponderance of the evidence.” Id. at 461-62 (citation omitted).

**ARGUMENT**

17. TCL did not object its claim as scheduled by Debtor in its Schedule F.

18. Debtor did not schedule Zokaite Properties in its bankruptcy schedules, and Zokaite Properties’ Proof of Claim is not adequately supported.

19. The Proof of Claim asserts that Zokaite Properties is the “assignee” of TCL, but the Proof of Claim neither contains a description of the nature of the “assignment” nor proof of such assignment.

20. In addition, while the Proof of Claim sets forth a claim amount of \$151,500.00, it provides no evidence of the grounds for the claim. For example, the attachment refers to a “loan made on or about March 20, 2002”, but the Proof of Claim is not supported by any loan documents or other documents evidencing the basis for

the claim amount. In addition, the Proof of Claim asserts interest at six percent “pursuant to Pennsylvania law” without justification.

21. For these reasons, the Proof of Claim must be disallowed.

22. Mr. Vincent intends to rely upon this Objection without filing a separate memorandum in support of this Objection. However, Mr. Vincent reserves the right to file additional or supplemental memoranda if, in Mr. Vincent’s opinion, such memoranda will assist the Court in making a determination of the matters raised hereby.

WHEREFORE, party-in-interest Stephen A. Vincent respectfully requests that this Court enter an Order:

- A. Disallowing the proof of claim filed by Zokaite Properties, LP on October 14, 2009 and docketed in the claims register as claim number 3; and
- B. Providing such other and further relief as the Court determines to be necessary.

#### **NOTICE OF OBJECTION**

**Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)**

If you do not wish the Court to grant the relief sought in the Objection, or if you want the Court to consider your views on the Objection, then within thirty (30) days from the date of service of this Objection, you must file a written response with the Clerk of the Bankruptcy Court explaining your position and mail a copy to:

Jeremy S. Friedberg, Esquire  
Gordon S. Young, Esquire  
Leitess Leitess Friedberg + Fedder PC  
One Corporate Center  
10451 Mill Run Circle, Suite 1000  
Baltimore, MD 21117

Jeffrey M .Sirody, Esquire  
Sirody, Freiman & Feldman, P.C.  
1777 Reisterstown Road, Suite 360  
Baltimore, MD 21208

Office of the U.S. Trustee  
101 W. Lombard Street, Suite 2625  
Baltimore, MD 21201.

If you mail rather than deliver your response to the Clerk of the Bankruptcy Court for filing, you must mail it early enough so that the court will receive it by the date stated above. You may request a hearing that will be held at the Court's discretion.

If you or your attorney do not take these steps, the Court may decide that you do not oppose the relief sought in the Objection and may enter an order granting that relief.

Respectfully submitted,

/s/ Jeremy S. Friedberg  
Jeremy S. Friedberg, Fed. Bar No. 10638  
Gordon S. Young, Fed. Bar No. 14866  
Leitess Leitess Friedberg + Fedder PC  
One Corporate Center  
10451 Mill Run Circle, Suite 1000  
Baltimore, Maryland 21117  
(410) 581-7400  
(410) 581-7410 (facsimile)

*Attorneys for Stephen A. Vincent*

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 8<sup>th</sup> day of December, 2009, a copy of the foregoing, along with attached exhibits and proposed order, was served *via* first-class mail, postage prepaid, and, if the recipients are properly registered, *via* the Court's CM/ECF system, on:

Zokaite Properties, LP  
c/o Frank R. Zokaite  
375 Golfside Drive  
Wexford, PA 15090

Jeffrey M. Sirody, Esq.  
Sirody, Freiman & Feldman, P.C.  
1777 Reisterstown Road, Suite 360  
Baltimore, MD 21208

Richard M. Kremen, Esq.  
Jodie E. Buchman, Esq.  
DLA Piper US LLP  
6225 Smith Avenue  
Baltimore, MD 21209-3600

Office of the U.S. Trustee  
101 W. Lombard Street, Suite 2625  
Baltimore, MD 21201.

/s/ Jeremy S. Friedberg  
Jeremy S. Friedberg

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF MARYLAND  
AT BALTIMORE

IN RE:

\*

LA MESA RACING, LLC,

\*

CASE No.: 07-17069-NVA

DEBTOR.

\*

(CHAPTER 11)

\* \* \* \* \*

**ORDER DISALLOWING CLAIM NUMBER 3 FILED BY ZOKAITES PROPERTIES, LP**

Upon consideration of *Party-in-Interest Stephen A. Vincent's Objection to Proof of Claim Filed by Zokaite Properties, LP* (the "Objection") filed by party-in-interest Stephen A. Vincent, and any response thereto, and the Court finding that the proof of claim filed by Zokaite Properties, LP on October 14, 2009 and docketed in the claims register as claim number 3 (the "Proof of Claim") is not adequately supported, it is hereby:

**ORDERED**, that the Objection is **SUSTAINED**; and it is further

**ORDERED**, that the Proof of Claim is **DISALLOWED**.

cc:

(continued on following page)



Jeremy S. Friedberg, Esq.  
Gordon S. Young, Esq.  
Leitess Leitess Friedberg + Fedder PC  
One Corporate Center  
10451 Mill Run Circle, Suite 1000  
Baltimore, MD 21117

Zokaite Properties, LP  
c/o Frank R. Zokaite  
375 Golfside Drive  
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Jodie E. Buchman, Esq.  
DLA Piper US LLP  
6225 Smith Avenue  
Baltimore, MD 21209-3600

Office of the U.S. Trustee  
101 W. Lombard Street, Suite 2625  
Baltimore, MD 21201

**END OF ORDER**

**United States Bankruptcy Court**  
**District of Maryland**

In re **La Mesa Racing, LLC**,  
 Debtor

Case No. **07-17069-NVA**

Chapter **11**

**SUMMARY OF SCHEDULES**

Indicate as to each schedule whether that schedule is attached and state the number of pages in each. Report the totals from Schedules A, B, D, E, F, I, and J in the boxes provided. Add the amounts from Schedules A and B to determine the total amount of the debtor's assets. Add the amounts of all claims from Schedules D, E, and F to determine the total amount of the debtor's liabilities. Individual debtors must also complete the "Statistical Summary of Certain Liabilities and Related Data" if they file a case under chapter 7, 11, or 13.

| NAME OF SCHEDULE   | ATTACHED<br>(YES/NO) | NO. OF<br>SHEETS | ASSETS              | LIABILITIES       | OTHER      |
|--|----------------------|------------------|---------------------|-------------------|------------|
| A - Real Property  | <b>Yes</b>           | <b>1</b>         | <b>1,200,000.00</b> |                   |            |
| B - Personal Property  | <b>Yes</b>           | <b>3</b>         | <b>0.00</b>         |                   |            |
| C - Property Claimed as Exempt   | <b>No</b>            | <b>0</b>         |                     |                   |            |
| D - Creditors Holding Secured Claims   | <b>Yes</b>           | <b>1</b>         |                     | <b>0.00</b>       |            |
| E - Creditors Holding Unsecured<br>Priority Claims (Total of Claims on Schedule E) | <b>Yes</b>           | <b>1</b>         |                     | <b>0.00</b>       |            |
| F - Creditors Holding Unsecured<br>Nonpriority Claims                              | <b>Yes</b>           | <b>3</b>         |                     | <b>325,215.13</b> |            |
| G - Executory Contracts and<br>Unexpired Leases                                    | <b>Yes</b>           | <b>1</b>         |                     |                   |            |
| H - Codebtors  | <b>Yes</b>           | <b>1</b>         |                     |                   |            |
| I - Current Income of Individual<br>Debtor(s)                                      | <b>No</b>            | <b>0</b>         |                     |                   | <b>N/A</b> |
| J - Current Expenditures of Individual<br>Debtor(s)                                | <b>No</b>            | <b>0</b>         |                     |                   | <b>N/A</b> |
| Total Number of Sheets of ALL Schedules  |                      | <b>11</b>        |                     |                   |            |
| Total Assets   |                      |                  | <b>1,200,000.00</b> |                   |            |
| Total Liabilities  |                      |                  |                     | <b>325,215.13</b> |            |

**EXHIBIT 1**

**United States Bankruptcy Court**  
**District of Maryland**

In re **La Mesa Racing, LLC**

Debtor

Case No. **07-17069-NVA**Chapter **11**

**STATISTICAL SUMMARY OF CERTAIN LIABILITIES AND RELATED DATA (28 U.S.C. § 159)**

If you are an individual debtor whose debts are primarily consumer debts, as defined in § 101(8) of the Bankruptcy Code (11 U.S.C. § 101(8)), filing a case under chapter 7, 11 or 13, you must report all information requested below.

- ☐ Check this box if you are an individual debtor whose debts are NOT primarily consumer debts. You are not required to report any information here.

**This information is for statistical purposes only under 28 U.S.C. § 159.**

**Summarize the following types of liabilities, as reported in the Schedules, and total them.**

| Type of Liability   | Amount |
|---|--------|
| Domestic Support Obligations (from Schedule E)  |        |
| Taxes and Certain Other Debts Owed to Governmental Units (from Schedule E) (whether disputed or undisputed) |        |
| Claims for Death or Personal Injury While Debtor Was Intoxicated (from Schedule E)                          |        |
| Student Loan Obligations (from Schedule F)  |        |
| Domestic Support, Separation Agreement, and Divorce Decree Obligations Not Reported on Schedule E           |        |
| Obligations to Pension or Profit-Sharing, and Other Similar Obligations (from Schedule F)                   |        |
| TOTAL   |        |

**State the following:**

|   |  |
|---|--|
| Average Income (from Schedule I, Line 16)   |  |
| Average Expenses (from Schedule J, Line 18)   |  |
| Current Monthly Income (from Form 22A Line 12; OR, Form 22B Line 11; OR, Form 22C Line 20 ) |  |

**State the following:**

|  |  |  |
|--|--|--|
| 1. Total from Schedule D, "UNSECURED PORTION, IF ANY" column               |  |  |
| 2. Total from Schedule E, "AMOUNT ENTITLED TO PRIORITY" column             |  |  |
| 3. Total from Schedule E, "AMOUNT NOT ENTITLED TO PRIORITY, IF ANY" column |  |  |
| 4. Total from Schedule F   |  |  |
| 5. Total of non-priority unsecured debt (sum of 1, 3, and 4)               |  |  |

In re **La Mesa Racing, LLC**Case No. **07-17069-NVA**

Debtor

**SCHEDULE A. REAL PROPERTY**

Except as directed below, list all real property in which the debtor has any legal, equitable, or future interest, including all property owned as a cotenant, community property, or in which the debtor has a life estate. Include any property in which the debtor holds rights and powers exercisable for the debtor's own benefit. If the debtor is married, state whether husband, wife, or both own the property by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community." If the debtor holds no interest in real property, write "None" under "Description and Location of Property."

**Do not include interests in executory contracts and unexpired leases on this schedule. List them in Schedule G - Executory Contracts and Unexpired Leases.**

If an entity claims to have a lien or hold a secured interest in any property, state the amount of the secured claim. See Schedule D. If no entity claims to hold a secured interest in the property, write "None" in the column labeled "Amount of Secured Claim."

If the debtor is an individual or if a joint petition is filed, state the amount of any exemption claimed in the property only in Schedule C - Property Claimed as Exempt.

| Description and Location of Property                 | Nature of Debtor's Interest in Property | Husband, Wife, Joint, or Community | Current Value of Debtor's Interest in Property, without Deducting any Secured Claim or Exemption | Amount of Secured Claim |
|--|---|------------------------------------|--|-------------------------|
| <b>202 acres of land known as La Mesa Race Track</b> |   | <b>-</b>                           | <b>1,200,000.00</b>  | <b>0.00</b>             |

Sub-Total > **1,200,000.00** (Total of this page)

Total > **1,200,000.00**

(Report also on Summary of Schedules)

0 continuation sheets attached to the Schedule of Real Property

In re **La Mesa Racing, LLC**Case No. **07-17069-NVA**

Debtor

**SCHEDULE B. PERSONAL PROPERTY**

Except as directed below, list all personal property of the debtor of whatever kind. If the debtor has no property in one or more of the categories, place an "x" in the appropriate position in the column labeled "None." If additional space is needed in any category, attach a separate sheet properly identified with the case name, case number, and the number of the category. If the debtor is married, state whether husband, wife, or both own the property by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community." If the debtor is an individual or a joint petition is filed, state the amount of any exemptions claimed only in Schedule C - Property Claimed as Exempt.

**Do not list interests in executory contracts and unexpired leases on this schedule. List them in Schedule G - Executory Contracts and Unexpired Leases.**

If the property is being held for the debtor by someone else, state that person's name and address under "Description and Location of Property." In providing the information requested in this schedule, do not include the name or address of a minor child. Simply state "a minor child."

| Type of Property   | N<br>O<br>N<br>E | Description and Location of Property | Husband,<br>Wife,<br>Joint, or<br>Community | Current Value of<br>Debtor's Interest in Property,<br>without Deducting any<br>Secured Claim or Exemption |
|--|------------------|--------------------------------------|---|---|
| 1. Cash on hand  | <b>X</b>         |                                      |   |   |
| 2. Checking, savings or other financial accounts, certificates of deposit, or shares in banks, savings and loan, thrift, building and loan, and homestead associations, or credit unions, brokerage houses, or cooperatives. | <b>X</b>         |                                      |   |   |
| 3. Security deposits with public utilities, telephone companies, landlords, and others.  | <b>X</b>         |                                      |   |   |
| 4. Household goods and furnishings, including audio, video, and computer equipment.  | <b>X</b>         |                                      |   |   |
| 5. Books, pictures and other art objects, antiques, stamp, coin, record, tape, compact disc, and other collections or collectibles.  | <b>X</b>         |                                      |   |   |
| 6. Wearing apparel.  | <b>X</b>         |                                      |   |   |
| 7. Furs and jewelry.   | <b>X</b>         |                                      |   |   |
| 8. Firearms and sports, photographic, and other hobby equipment.   | <b>X</b>         |                                      |   |   |
| 9. Interests in insurance policies. Name insurance company of each policy and itemize surrender or refund value of each.   | <b>X</b>         |                                      |   |   |
| 10. Annuities. Itemize and name each issuer.   | <b>X</b>         |                                      |   |   |

Sub-Total > **0.00**  
(Total of this page)

2 continuation sheets attached to the Schedule of Personal Property

In re **La Mesa Racing, LLC**Case No. **07-17069-NVA**

Debtor

**SCHEDULE B. PERSONAL PROPERTY**

(Continuation Sheet)

| Type of Property  | N<br>O<br>N<br>E | Description and Location of Property | Husband,<br>Wife,<br>Joint, or<br>Community | Current Value of<br>Debtor's Interest in Property,<br>without Deducting any<br>Secured Claim or Exemption |
|---|------------------|--------------------------------------|---|---|
| 11. Interests in an education IRA as defined in 26 U.S.C. § 530(b)(1) or under a qualified State tuition plan as defined in 26 U.S.C. § 529(b)(1). Give particulars. (File separately the record(s) of any such interest(s). 11 U.S.C. § 521(c); Rule 1007(b)). | <b>X</b>         |                                      |   |   |
| 12. Interests in IRA, ERISA, Keogh, or other pension or profit sharing plans. Give particulars.   | <b>X</b>         |                                      |   |   |
| 13. Stock and interests in incorporated and unincorporated businesses. Itemize.   | <b>X</b>         |                                      |   |   |
| 14. Interests in partnerships or joint ventures. Itemize.   | <b>X</b>         |                                      |   |   |
| 15. Government and corporate bonds and other negotiable and nonnegotiable instruments.  | <b>X</b>         |                                      |   |   |
| 16. Accounts receivable.  | <b>X</b>         |                                      |   |   |
| 17. Alimony, maintenance, support, and property settlements to which the debtor is or may be entitled. Give particulars.  | <b>X</b>         |                                      |   |   |
| 18. Other liquidated debts owing debtor including tax refunds. Give particulars.  | <b>X</b>         |                                      |   |   |
| 19. Equitable or future interests, life estates, and rights or powers exercisable for the benefit of the debtor other than those listed in Schedule A - Real Property.  | <b>X</b>         |                                      |   |   |
| 20. Contingent and noncontingent interests in estate of a decedent, death benefit plan, life insurance policy, or trust.  | <b>X</b>         |                                      |   |   |
| 21. Other contingent and unliquidated claims of every nature, including tax refunds, counterclaims of the debtor, and rights to setoff claims. Give estimated value of each.  | <b>X</b>         |                                      |   |   |

Sub-Total > **0.00**  
(Total of this page)

Sheet 1 of 2 continuation sheets attached  
to the Schedule of Personal Property

In re **La Mesa Racing, LLC**Case No. **07-17069-NVA**

Debtor

**SCHEDULE B. PERSONAL PROPERTY**  
(Continuation Sheet)

| Type of Property  | N<br>O<br>N<br>E | Description and Location of Property | Husband,<br>Wife,<br>Joint, or<br>Community | Current Value of<br>Debtor's Interest in Property,<br>without Deducting any<br>Secured Claim or Exemption |
|---|------------------|--------------------------------------|---|---|
| 22. Patents, copyrights, and other intellectual property. Give particulars.   | <b>X</b>         |                                      |   |   |
| 23. Licenses, franchises, and other general intangibles. Give particulars.  | <b>X</b>         |                                      |   |   |
| 24. Customer lists or other compilations containing personally identifiable information (as defined in 11 U.S.C. § 101(41A)) provided to the debtor by individuals in connection with obtaining a product or service from the debtor primarily for personal, family, or household purposes. | <b>X</b>         |                                      |   |   |
| 25. Automobiles, trucks, trailers, and other vehicles and accessories.  | <b>X</b>         |                                      |   |   |
| 26. Boats, motors, and accessories.   | <b>X</b>         |                                      |   |   |
| 27. Aircraft and accessories.   | <b>X</b>         |                                      |   |   |
| 28. Office equipment, furnishings, and supplies.  | <b>X</b>         |                                      |   |   |
| 29. Machinery, fixtures, equipment, and supplies used in business.  | <b>X</b>         |                                      |   |   |
| 30. Inventory.  | <b>X</b>         |                                      |   |   |
| 31. Animals.  | <b>X</b>         |                                      |   |   |
| 32. Crops - growing or harvested. Give particulars.   | <b>X</b>         |                                      |   |   |
| 33. Farming equipment and implements.   | <b>X</b>         |                                      |   |   |
| 34. Farm supplies, chemicals, and feed.   | <b>X</b>         |                                      |   |   |
| 35. Other personal property of any kind not already listed. Itemize.  | <b>X</b>         |                                      |   |   |

|                      |             |
|----------------------|-------------|
| Sub-Total >          | <b>0.00</b> |
| (Total of this page) |             |
| Total >              | <b>0.00</b> |

Sheet 2 of 2 continuation sheets attached  
to the Schedule of Personal Property

(Report also on Summary of Schedules)

In re **La Mesa Racing, LLC**Case No. **07-17069-NVA**

Debtor

**SCHEDULE D. CREDITORS HOLDING SECURED CLAIMS**

State the name, mailing address, including zip code, and last four digits of any account number of all entities holding claims secured by property of the debtor as of the date of filing of the petition. The complete account number of any account the debtor has with the creditor is useful to the trustee and the creditor and may be provided if the debtor chooses to do so. List creditors holding all types of secured interests such as judgment liens, garnishments, statutory liens, mortgages, deeds of trust, and other security interests.

List creditors in alphabetical order to the extent practicable. If a minor child is a creditor, indicate that by stating "a minor child" and do not disclose the child's name. See 11 U.S.C. § 112. If "a minor child" is stated, also include the name, address, and legal relationship to the minor child of a person described in Fed. R. Bankr. P. 1007(m). If all secured creditors will not fit on this page, use the continuation sheet provided.

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor", include the entity on the appropriate schedule of creditors, and complete Schedule H - Codebtors. If a joint petition is filed, state whether the husband, wife, both of them, or the marital community may be liable on each claim by placing an "H", "W", "J", or "C" in the column labeled "Husband, Wife, Joint, or Community".

If the claim is contingent, place an "X" in the column labeled "Contingent". If the claim is unliquidated, place an "X" in the column labeled "Unliquidated". If the claim is disputed, place an "X" in the column labeled "Disputed". (You may need to place an "X" in more than one of these three columns.)

Total the columns labeled "Amount of Claim Without Deducting Value of Collateral" and "Unsecured Portion, if Any" in the boxes labeled "Total(s)" on the last sheet of the completed schedule. Report the total from the column labeled "Amount of Claim" also on the Summary of Schedules and, if the debtor is an individual with primarily consumer debts, report the total from the column labeled "Unsecured Portion" on the Statistical Summary of Certain Liabilities and Related Data.

☐ Check this box if debtor has no creditors holding secured claims to report on this Schedule D.

| CREDITOR'S NAME<br>AND MAILING ADDRESS<br>INCLUDING ZIP CODE,<br>AND ACCOUNT NUMBER<br>(See instructions above.) | C<br>O<br>D<br>E<br>B<br>T<br>O<br>R | H<br>U<br>S<br>B<br>A<br>N<br>D<br>W<br>I<br>F<br>E<br>J<br>O<br>I<br>N<br>T<br>C<br>O<br>M<br>M<br>U<br>N<br>I<br>T<br>Y | D<br>A<br>T<br>E<br>C<br>L<br>A<br>I<br>M<br>W<br>A<br>S<br>I<br>N<br>C<br>U<br>R<br>R<br>E<br>D,<br>N<br>A<br>T<br>U<br>R<br>E<br>O<br>F<br>L<br>I<br>E<br>N,<br>A<br>N<br>D<br>D<br>E<br>S<br>C<br>R<br>I<br>P<br>T<br>I<br>O<br>N<br>A<br>N<br>D<br>V<br>A<br>L<br>U<br>E<br>O<br>F<br>P<br>R<br>O<br>P<br>E<br>R<br>T<br>Y<br>S<br>U<br>B<br>J<br>E<br>C<br>T<br>T<br>O<br>L<br>I<br>E<br>N | C<br>O<br>N<br>T<br>I<br>N<br>G<br>E<br>N<br>T | U<br>N<br>L<br>I<br>Q<br>U<br>I<br>D<br>A<br>T<br>E<br>D | D<br>I<br>S<br>P<br>U<br>T<br>E<br>D | A<br>M<br>O<br>U<br>N<br>T<br>O<br>F<br>C<br>L<br>A<br>I<br>M<br>W<br>I<br>T<br>H<br>O<br>U<br>T<br>D<br>E<br>D<br>U<br>C<br>T<br>I<br>N<br>G<br>V<br>A<br>L<br>U<br>E<br>O<br>F<br>C<br>O<br>L<br>L<br>A<br>T<br>E<br>R<br>A<br>L | U<br>N<br>S<br>E<br>C<br>U<br>R<br>E<br>D<br>P<br>O<br>R<br>T<br>I<br>O<br>N,<br>I<br>F<br>A<br>N<br>Y |
|--|--------------------------------------|---|---|--|--|--------------------------------------|--|--|
|  |                                      |   |   |  |  |                                      |  |  |
| Account No.  |                                      |   |   |  |  |                                      |  |  |
|  |                                      |   |   |  |  |                                      |  |  |
|  |                                      |   | Value \$  |  |  |                                      |  |  |
| Account No.  |                                      |   |   |  |  |                                      |  |  |
|  |                                      |   |   |  |  |                                      |  |  |
|  |                                      |   | Value \$  |  |  |                                      |  |  |
| Account No.  |                                      |   |   |  |  |                                      |  |  |
|  |                                      |   |   |  |  |                                      |  |  |
|  |                                      |   | Value \$  |  |  |                                      |  |  |
| Account No.  |                                      |   |   |  |  |                                      |  |  |
|  |                                      |   |   |  |  |                                      |  |  |
|  |                                      |   | Value \$  |  |  |                                      |  |  |
| Subtotal<br>(Total of this page)   |                                      |   |   |  |  |                                      |  |  |
| Total<br>(Report on Summary of Schedules)  |                                      |   |   |  |  |                                      | <b>0.00</b>  | <b>0.00</b>  |

0 continuation sheets attached



In re **La Mesa Racing, LLC**Case No. **07-17069-NVA**

Debtor

**SCHEDULE E. CREDITORS HOLDING UNSECURED PRIORITY CLAIMS**

A complete list of claims entitled to priority, listed separately by type of priority, is to be set forth on the sheets provided. Only holders of unsecured claims entitled to priority should be listed in this schedule. In the boxes provided on the attached sheets, state the name, mailing address, including zip code, and last four digits of the account number, if any, of all entities holding priority claims against the debtor or the property of the debtor, as of the date of the filing of the petition. Use a separate continuation sheet for each type of priority and label each with the type of priority.

The complete account number of any account the debtor has with the creditor is useful to the trustee and the creditor and may be provided if the debtor chooses to do so. If a minor child is a creditor, indicate that by stating "a minor child" and do not disclose the child's name. See 11 U.S.C. § 112. If "a minor child" is stated, also include the name, address, and legal relationship to the minor child of a person described in Fed. R. Bankr. P. 1007(m).

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor," include the entity on the appropriate schedule of creditors, and complete Schedule H-Codebtors. If a joint petition is filed, state whether the husband, wife, both of them, or the marital community may be liable on each claim by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community." If the claim is contingent, place an "X" in the column labeled "Contingent." If the claim is unliquidated, place an "X" in the column labeled "Unliquidated." If the claim is disputed, place an "X" in the column labeled "Disputed." (You may need to place an "X" in more than one of these three columns.)

Report the total of claims listed on each sheet in the box labeled "Subtotals" on each sheet. Report the total of all claims listed on this Schedule E in the box labeled "Total" on the last sheet of the completed schedule. Report this total also on the Summary of Schedules.

Report the total of amounts entitled to priority listed on each sheet in the box labeled "Subtotals" on each sheet. Report the total of all amounts entitled to priority listed on this Schedule E in the box labeled "Totals" on the last sheet of the completed schedule. Individual debtors with primarily consumer debts who file a case under chapter 7 or 13 report this total also on the Statistical Summary of Certain Liabilities and Related Data.

Report the total of amounts not entitled to priority listed on each sheet in the box labeled "Subtotals" on each sheet. Report the total of all amounts not entitled to priority listed on this Schedule E in the box labeled "Totals" on the last sheet of the completed schedule. Individual debtors with primarily consumer debts who file a case under chapter 7 report this total also on the Statistical Summary of Certain Liabilities and Related Data.

☒ Check this box if debtor has no creditors holding unsecured priority claims to report on this Schedule E.

**TYPES OF PRIORITY CLAIMS** (Check the appropriate box(es) below if claims in that category are listed on the attached sheets)

☐ **Domestic support obligations**

Claims for domestic support that are owed to or recoverable by a spouse, former spouse, or child of the debtor, or the parent, legal guardian, or responsible relative of such a child, or a governmental unit to whom such a domestic support claim has been assigned to the extent provided in 11 U.S.C. § 507(a)(1).

☐ **Extensions of credit in an involuntary case**

Claims arising in the ordinary course of the debtor's business or financial affairs after the commencement of the case but before the earlier of the appointment of a trust or the order for relief. 11 U.S.C. § 507(a)(3).

☐ **Wages, salaries, and commissions**

Wages, salaries, and commissions, including vacation, severance, and sick leave pay owing to employees and commissions owing to qualifying independent sales representatives up to \$10,950\* per person earned within 180 days immediately preceding the filing of the original petition, or the cessation of business, whichever occurred first, to the extent provided in 11 U.S.C. § 507(a)(4).

☐ **Contributions to employee benefit plans**

Money owed to employee benefit plans for services rendered within 180 days immediately preceding the filing of the original petition, or the cessation of business, whichever occurred first, to the extent provided in 11 U.S.C. § 507(a)(5).

☐ **Certain farmers and fishermen**

Claims of certain farmers and fishermen, up to \$5,400\* per farmer or fisherman, against the debtor, as provided in 11 U.S.C. § 507(a)(6).

☐ **Deposits by individuals**

Claims of individuals up to \$2,425\* for deposits for the purchase, lease, or rental of property or services for personal, family, or household use, that were not delivered provided. 11 U.S.C. § 507(a)(7).

☐ **Taxes and certain other debts owed to governmental units**

Taxes, customs duties, and penalties owing to federal, state, and local governmental units as set forth in 11 U.S.C. § 507(a)(8).

☐ **Commitments to maintain the capital of an insured depository institution**

Claims based on commitments to the FDIC, RTC, Director of the Office of Thrift Supervision, Comptroller of the Currency, or Board of Governors of the Federal Reserve System, or their predecessors or successors, to maintain the capital of an insured depository institution. 11 U.S.C. § 507(a)(9).

☐ **Claims for death or personal injury while debtor was intoxicated**

Claims for death or personal injury resulting from the operation of a motor vehicle or vessel while the debtor was intoxicated from using alcohol, a drug, or another substance. 11 U.S.C. § 507(a)(10).

\* Amounts are subject to adjustment on April 1, 2010, and every three years thereafter with respect to cases commenced on or after the date of adjustment.

In re **La Mesa Racing, LLC**Case No. **07-17069-NVA**

Debtor

**SCHEDULE F. CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS**

State the name, mailing address, including zip code, and last four digits of any account number, of all entities holding unsecured claims without priority against the debtor or the property of the debtor, as of the date of filing of the petition. The complete account number of any account the debtor has with the creditor is useful to the trustee and the creditor and may be provided if the debtor chooses to do so. If a minor child is a creditor, indicate that by stating "a minor child" and do not disclose the child's name. See 11 U.S.C. § 112. If "a minor child" is stated, also include the name, address, and legal relationship to the minor child of a person described in Fed. R. Bankr. P. 1007(m). Do not include claims listed in Schedules D and E. If all creditors will not fit on this page, use the continuation sheet provided.

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor," include the entity on the appropriate schedule of creditors, and complete Schedule H - Codebtors. If a joint petition is filed, state whether the husband, wife, both of them, or the marital community may be liable on each claim by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community."

If the claim is contingent, place an "X" in the column labeled "Contingent." If the claim is unliquidated, place an "X" in the column labeled "Unliquidated." If the claim is disputed, place an "X" in the column labeled "Disputed." (You may need to place an "X" in more than one of these three columns.)

Report the total of all claims listed on this schedule in the box labeled "Total" on the last sheet of the completed schedule. Report this total also on the Summary of Schedules and, if the debtor is an individual with primarily consumer debts filing a case under chapter 7, report this total also on the Statistical Summary of Certain Liabilities and Related Data.

☐ Check this box if debtor has no creditors holding unsecured claims to report on this Schedule F.

| CREDITOR'S NAME,<br>AND MAILING ADDRESS<br>INCLUDING ZIP CODE,<br>AND ACCOUNT NUMBER<br>(See instructions above.)    | C<br>O<br>D<br>E<br>B<br>T<br>O<br>R | H<br>U<br>S<br>B<br>A<br>N<br>D<br><br>W<br>I<br>F<br>E<br><br>J<br>O<br>I<br>N<br>T<br><br>C<br>O<br>M<br>M<br>U<br>N<br>I<br>T<br>Y | D<br>A<br>T<br>E<br>C<br>L<br>A<br>I<br>M<br>W<br>A<br>S<br>I<br>N<br>C<br>U<br>R<br>R<br>E<br>D<br>A<br>N<br>D<br>C<br>O<br>N<br>S<br>I<br>D<br>E<br>R<br>A<br>T<br>I<br>O<br>N<br>F<br>O<br>R<br>C<br>L<br>A<br>I<br>M.<br>I<br>F<br>C<br>L<br>A<br>I<br>M<br>I<br>S<br>S<br>U<br>B<br>J<br>E<br>C<br>T<br>T<br>O<br>S<br>E<br>T<br>O<br>F<br>F,<br>S<br>O<br>S<br>T<br>A<br>T<br>E. | C<br>O<br>N<br>T<br>I<br>N<br>G<br>E<br>N<br>T | U<br>N<br>L<br>I<br>Q<br>U<br>I<br>D<br>A<br>T<br>E<br>D | D<br>I<br>S<br>P<br>U<br>T<br>E<br>D | A<br>M<br>O<br>U<br>N<br>T<br>O<br>F<br>C<br>L<br>A<br>I<br>M |
|--|--------------------------------------|---|--|--|--|--------------------------------------|---|
|  |                                      |   |  |  |  |                                      |   |
| Account No.  |                                      |   |  |  |  |                                      |   |
| <b>Altel</b><br><b>One Allied Drive</b><br><b>Building 4 Second Floor</b><br><b>Little Rock, AR 72202</b>            |                                      | -   |  |  |  |                                      | <b>350.00</b>   |
| Account No.  |                                      |   |  |  |  |                                      |   |
| <b>Cable &amp; Wireless</b><br><b>46020 Manekin Plaza</b><br><b>Sterling, VA 20166</b>                               |                                      | -   |  |  |  |                                      | <b>359.22</b>   |
| Account No.  |                                      |   |  |  |  |                                      |   |
| <b>Casino del Caribe</b><br><b>367 George Washington Avenue</b><br><b>Santo Domingo</b><br><b>Dominican Republic</b> |                                      | -   |  |  |  |                                      | <b>161,904.31</b>   |
| Account No.  |                                      |   |  |  |  |                                      |   |
| <b>Culver, Billie</b><br><b>829 South 5th Street</b><br><b>Raton, NM 87740</b>                                       |                                      | -   |  |  |  |                                      | <b>1,500.00</b>   |
| Subtotal<br>(Total of this page)   |                                      |   |  |  |  |                                      | <b>164,113.53</b>   |

2 continuation sheets attached

In re **La Mesa Racing, LLC**Case No. **07-17069-NVA**

Debtor

# **SCHEDULE F. CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS** (Continuation Sheet)

| CREDITOR'S NAME,<br>AND MAILING ADDRESS<br>INCLUDING ZIP CODE,<br>AND ACCOUNT NUMBER<br>(See instructions above.) | C<br>O<br>D<br>E<br>B<br>O<br>R | Husband, Wife, Joint, or Community  | C<br>O<br>N<br>T<br>I<br>N<br>G<br>E<br>N<br>T | U<br>N<br>L<br>I<br>Q<br>U<br>I<br>D<br>A<br>T<br>E<br>D | D<br>I<br>S<br>P<br>U<br>T<br>E<br>D | AMOUNT OF CLAIM |
|---|---------------------------------|---|--|--|--------------------------------------|-----------------|
|   |                                 | DATE CLAIM WAS INCURRED AND<br>CONSIDERATION FOR CLAIM. IF CLAIM<br>IS SUBJECT TO SETOFF, SO STATE. |  |  |                                      |                 |
| Account No.   |                                 |   |  |  |                                      |                 |
| <b>ILD Telecommunications</b><br><b>8401 Datapoint Drive</b><br><b>Suite 100</b><br><b>San Antonio, TX 78229</b>  | -                               |   |  |  |                                      | <b>950.01</b>   |
| Account No.   |                                 |   |  |  |                                      |                 |
| <b>John Morrow Estate</b><br><b>c/o Linda Morrow</b><br><b>P.O. Box 10</b><br><b>Capulin, NM 88414</b>            | -                               |   |  |  |                                      | <b>2,500.00</b> |
| Account No.   |                                 |   |  |  |                                      |                 |
| <b>John Rovedo, CPA</b><br><b>6817 Southpoint Parkway</b><br><b>Suite 801</b><br><b>Jacksonville, FL 32216</b>    | -                               |   |  |  |                                      | <b>250.00</b>   |
| Account No.   |                                 |   |  |  |                                      |                 |
| <b>Quest</b><br><b>P.O. Box 29060</b><br><b>Phoenix, AZ 85038</b>   | -                               |   |  |  |                                      | <b>201.59</b>   |
| Account No.   |                                 |   |  |  |                                      |                 |
| <b>Siskind, William</b><br><b>3504 Old Court Road</b><br><b>Pikesville, MD 21208</b>                              | -                               |   |  |  |                                      | <b>5,700.00</b> |
| Sheet no. <u>1</u> of <u>2</u> sheets attached to Schedule of<br>Creditors Holding Unsecured Nonpriority Claims   |                                 |   |  |  |                                      | <b>9,601.60</b> |
| Subtotal<br>(Total of this page)  |                                 |   |  |  |                                      | <b>9,601.60</b> |

In re **La Mesa Racing, LLC**Case No. **07-17069-NVA**

Debtor

**SCHEDULE F. CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS**  
(Continuation Sheet)

| CREDITOR'S NAME,<br>AND MAILING ADDRESS<br>INCLUDING ZIP CODE,<br>AND ACCOUNT NUMBER<br>(See instructions above.)        | C<br>O<br>D<br>E<br>B<br>O<br>R | Husband, Wife, Joint, or Community | C<br>O<br>N<br>T<br>I<br>N<br>G<br>E<br>N<br>T | U<br>N<br>L<br>I<br>Q<br>U<br>I<br>D<br>A<br>T<br>E<br>D | D<br>I<br>S<br>P<br>U<br>T<br>E<br>D | AMOUNT OF CLAIM   |
|--|---------------------------------|------------------------------------|--|--|--------------------------------------|-------------------|
|  |                                 | H<br>W<br>J<br>C                   |  |  |                                      |                   |
| Account No.  |                                 |                                    |  |  |                                      |                   |
| <b>Transamerican Commercial Ltd.</b><br><b>1 North Charles Street</b><br><b>Suite 2310</b><br><b>Baltimore, MD 21201</b> |                                 | -                                  |  |  |                                      | <b>151,500.00</b> |
| Account No.  |                                 |                                    |  |  |                                      |                   |
|  |                                 |                                    |  |  |                                      |                   |
| Account No.  |                                 |                                    |  |  |                                      |                   |
|  |                                 |                                    |  |  |                                      |                   |
| Account No.  |                                 |                                    |  |  |                                      |                   |
|  |                                 |                                    |  |  |                                      |                   |
| Account No.  |                                 |                                    |  |  |                                      |                   |
|  |                                 |                                    |  |  |                                      |                   |
| Sheet no. <b>2</b> of <b>2</b> sheets attached to Schedule of<br>Creditors Holding Unsecured Nonpriority Claims          |                                 |                                    | Subtotal<br>(Total of this page)               |  |                                      | <b>151,500.00</b> |
|  |                                 |                                    | Total<br>(Report on Summary of Schedules)      |  |                                      | <b>325,215.13</b> |

In re La Mesa Racing, LLCCase No. 07-17069-NVA

Debtor

**SCHEDULE G. EXECUTORY CONTRACTS AND UNEXPIRED LEASES**

Describe all executory contracts of any nature and all unexpired leases of real or personal property. Include any timeshare interests. State nature of debtor's interest in contract, i.e., "Purchaser", "Agent", etc. State whether debtor is the lessor or lessee of a lease. Provide the names and complete mailing addresses of all other parties to each lease or contract described. If a minor child is a party to one of the leases or contracts, indicate that by stating "a minor child" and do not disclose the child's name. See 11 U.S.C. § 112; Fed.R. Bankr. P. 1007(m).

☐ Check this box if debtor has no executory contracts or unexpired leases.

Name and Mailing Address, Including Zip Code,  
of Other Parties to Lease or Contract

Description of Contract or Lease and Nature of Debtor's Interest.  
State whether lease is for nonresidential real property.  
State contract number of any government contract.

0 continuation sheets attached to Schedule of Executory Contracts and Unexpired Leases

In re La Mesa Racing, LLCCase No. 07-17069-NVA

Debtor

**SCHEDULE H. CODEBTORS**

Provide the information requested concerning any person or entity, other than a spouse in a joint case, that is also liable on any debts listed by debtor in the schedules of creditors. Include all guarantors and co-signers. If the debtor resides or resided in a community property state, commonwealth, or territory (including Alaska, Arizona, California, Idaho, Louisiana, Nevada, New Mexico, Puerto Rico, Texas, Washington, or Wisconsin) within the eight year period immediately preceding the commencement of the case, identify the name of the debtor's spouse and of any former spouse who resides or resided with the debtor in the community property state, commonwealth, or territory. Include all names used by the nondebtor spouse during the eight years immediately preceding the commencement of this case. If a minor child is a codebtor or a creditor, indicate that by stating "a minor child" and do not disclose the child's name. See 11 U.S.C. § 112; Fed. Bankr. P. 1007(m).

☐ Check this box if debtor has no codebtors.

NAME AND ADDRESS OF CODEBTOR

NAME AND ADDRESS OF CREDITOR

0 continuation sheets attached to Schedule of Codebtors

Official Form 6-Declaration. (10/06)

**United States Bankruptcy Court**  
**District of Maryland**

In re **La Mesa Racing, LLC**

Debtor(s)

Case No. **07-17069-NVA**Chapter **11**

**DECLARATION CONCERNING DEBTOR'S SCHEDULES**

**DECLARATION UNDER PENALTY OF PERJURY ON BEHALF OF CORPORATION OR PARTNERSHIP**

I, the Member of the corporation named as debtor in this case, declare under penalty of perjury that I have read the foregoing summary and schedules, consisting of **13** sheets *[total shown on summary page plus 1]*, and that they are true and correct to the best of my knowledge, information, and belief.

Date **September 17, 2007**Signature **/s/ William L. Siskind****William L. Siskind****Member**

*Penalty for making a false statement or concealing property:* Fine of up to \$500,000 or imprisonment for up to 5 years or both.  
 18 U.S.C. §§ 152 and 3571.

# United States Bankruptcy Court District of Maryland

In re La Mesa Racing, LLC

Debtor(s)

Case No. 07-17069-NVAChapter 11

## STATEMENT OF FINANCIAL AFFAIRS

This statement is to be completed by every debtor. Spouses filing a joint petition may file a single statement on which the information for both spouses is combined. If the case is filed under chapter 12 or chapter 13, a married debtor must furnish information for both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed. An individual debtor engaged in business as a sole proprietor, partner, family farmer, or self-employed professional, should provide the information requested on this statement concerning all such activities as well as the individual's personal affairs. Do not include the name or address of a minor child in this statement. Indicate payments, transfers and the like to minor children by stating "a minor child." See 11 U.S.C. § 112; Fed. R. Bankr. P. 1007(m).

Questions 1 - 18 are to be completed by all debtors. Debtors that are or have been in business, as defined below, also must complete Questions 19 - 25. **If the answer to an applicable question is "None," mark the box labeled "None."** If additional space is needed for the answer to any question, use and attach a separate sheet properly identified with the case name, case number (if known), and the number of the question.

### DEFINITIONS

*"In business."* A debtor is "in business" for the purpose of this form if the debtor is a corporation or partnership. An individual debtor is "in business" for the purpose of this form if the debtor is or has been, within six years immediately preceding the filing of this bankruptcy case, any of the following: an officer, director, managing executive, or owner of 5 percent or more of the voting or equity securities of a corporation; a partner, other than a limited partner, of a partnership; a sole proprietor or self-employed full-time or part-time. An individual debtor also may be "in business" for the purpose of this form if the debtor engages in a trade, business, or other activity, other than as an employee, to supplement income from the debtor's primary employment.

*"Insider."* The term "insider" includes but is not limited to: relatives of the debtor; general partners of the debtor and their relatives; corporations of which the debtor is an officer, director, or person in control; officers, directors, and any owner of 5 percent or more of the voting or equity securities of a corporate debtor and their relatives; affiliates of the debtor and insiders of such affiliates; any managing agent of the debtor. 11 U.S.C. § 101.

### 1. Income from employment or operation of business

None ☐ State the gross amount of income the debtor has received from employment, trade, or profession, or from operation of the debtor's business, including part-time activities either as an employee or in independent trade or business, from the beginning of this calendar year to the date this case was commenced. State also the gross amounts received during the **two years** immediately preceding this calendar year. (A debtor that maintains, or has maintained, financial records on the basis of a fiscal rather than a calendar year may report fiscal year income. Identify the beginning and ending dates of the debtor's fiscal year.) If a joint petition is filed, state income for each spouse separately. (Married debtors filing under chapter 12 or chapter 13 must state income of both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

AMOUNT

SOURCE

### 2. Income other than from employment or operation of business

None ☐ State the amount of income received by the debtor other than from employment, trade, profession, or operation of the debtor's business during the **two years** immediately preceding the commencement of this case. Give particulars. If a joint petition is filed, state income for each spouse separately. (Married debtors filing under chapter 12 or chapter 13 must state income for each spouse whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

AMOUNT

SOURCE



**3. Payments to creditors**

None ☐ **Complete a. or b., as appropriate, and c.**

a. *Individual or joint debtor(s) with primarily consumer debts.* List all payments on loans, installment purchases of goods or services, and other debts to any creditor made within **90 days** immediately preceding the commencement of this case if the aggregate value of all property that constitutes or is affected by such transfer is not less than \$600. Indicate with an (\*) any payments that were made to a creditor on account of a domestic support obligation or as part of an alternative repayment schedule under a plan by an approved nonprofit budgeting and creditor counseling agency. (Married debtors filing under chapter 12 or chapter 13 must include payments by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

| NAME AND ADDRESS<br>OF CREDITOR | DATES OF<br>PAYMENTS | AMOUNT PAID | AMOUNT STILL<br>OWING |
|---------------------------------|----------------------|-------------|-----------------------|
|---------------------------------|----------------------|-------------|-----------------------|

None ☐ b. *Debtor whose debts are not primarily consumer debts:* List each payment or other transfer to any creditor made within **90 days** immediately preceding the commencement of the case if the aggregate value of all property that constitutes or is affected by such transfer is not less than \$5,475. (Married debtors filing under chapter 12 or chapter 13 must include payments by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

| NAME AND ADDRESS OF CREDITOR | DATES OF<br>PAYMENTS/<br>TRANSFERS | AMOUNT<br>PAID OR<br>VALUE OF<br>TRANSFERS | AMOUNT STILL<br>OWING |
|------------------------------|------------------------------------|--|-----------------------|
|------------------------------|------------------------------------|--|-----------------------|

None ☐ c. *All debtors:* List all payments made within **one year** immediately preceding the commencement of this case to or for the benefit of creditors who are or were insiders. (Married debtors filing under chapter 12 or chapter 13 must include payments by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

| NAME AND ADDRESS OF CREDITOR AND<br>RELATIONSHIP TO DEBTOR | DATE OF PAYMENT | AMOUNT PAID | AMOUNT STILL<br>OWING |
|--|-----------------|-------------|-----------------------|
|--|-----------------|-------------|-----------------------|

**4. Suits and administrative proceedings, executions, garnishments and attachments**

None ☐ a. List all suits and administrative proceedings to which the debtor is or was a party within **one year** immediately preceding the filing of this bankruptcy case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

| CAPTION OF SUIT<br>AND CASE NUMBER | NATURE OF PROCEEDING | COURT OR AGENCY<br>AND LOCATION | STATUS OR<br>DISPOSITION |
|------------------------------------|----------------------|---------------------------------|--------------------------|
|------------------------------------|----------------------|---------------------------------|--------------------------|

None ☐ b. Describe all property that has been attached, garnished or seized under any legal or equitable process within **one year** immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

| NAME AND ADDRESS OF PERSON FOR WHOSE<br>BENEFIT PROPERTY WAS SEIZED | DATE OF SEIZURE | DESCRIPTION AND VALUE OF<br>PROPERTY |
|---|-----------------|--------------------------------------|
|---|-----------------|--------------------------------------|

**5. Repossessions, foreclosures and returns**

None ☐ List all property that has been repossessed by a creditor, sold at a foreclosure sale, transferred through a deed in lieu of foreclosure or returned to the seller, within **one year** immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

| NAME AND ADDRESS OF<br>CREDITOR OR SELLER | DATE OF REPOSSESSION,<br>FORECLOSURE SALE,<br>TRANSFER OR RETURN | DESCRIPTION AND VALUE OF<br>PROPERTY |
|---|--|--------------------------------------|
|---|--|--------------------------------------|

**6. Assignments and receiverships**

- None ☐ a. Describe any assignment of property for the benefit of creditors made within **120 days** immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include any assignment by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

| NAME AND ADDRESS OF ASSIGNEE | DATE OF<br>ASSIGNMENT | TERMS OF ASSIGNMENT OR SETTLEMENT |
|------------------------------|-----------------------|-----------------------------------|
|------------------------------|-----------------------|-----------------------------------|

- None ☐ b. List all property which has been in the hands of a custodian, receiver, or court-appointed official within **one year** immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

| NAME AND ADDRESS<br>OF CUSTODIAN | NAME AND LOCATION<br>OF COURT<br>CASE TITLE & NUMBER | DATE OF<br>ORDER | DESCRIPTION AND VALUE OF<br>PROPERTY |
|----------------------------------|--|------------------|--------------------------------------|
|----------------------------------|--|------------------|--------------------------------------|

**7. Gifts**

- None ☐ List all gifts or charitable contributions made within **one year** immediately preceding the commencement of this case except ordinary and usual gifts to family members aggregating less than \$200 in value per individual family member and charitable contributions aggregating less than \$100 per recipient. (Married debtors filing under chapter 12 or chapter 13 must include gifts or contributions by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

| NAME AND ADDRESS OF<br>PERSON OR ORGANIZATION | RELATIONSHIP TO<br>DEBTOR, IF ANY | DATE OF GIFT | DESCRIPTION AND<br>VALUE OF GIFT |
|---|-----------------------------------|--------------|----------------------------------|
|---|-----------------------------------|--------------|----------------------------------|

**8. Losses**

- None ☐ List all losses from fire, theft, other casualty or gambling within **one year** immediately preceding the commencement of this case **or since the commencement of this case**. (Married debtors filing under chapter 12 or chapter 13 must include losses by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

| DESCRIPTION AND VALUE<br>OF PROPERTY | DESCRIPTION OF CIRCUMSTANCES AND, IF<br>LOSS WAS COVERED IN WHOLE OR IN PART<br>BY INSURANCE, GIVE PARTICULARS | DATE OF LOSS |
|--------------------------------------|--|--------------|
|--------------------------------------|--|--------------|

**9. Payments related to debt counseling or bankruptcy**

- None ☐ List all payments made or property transferred by or on behalf of the debtor to any persons, including attorneys, for consultation concerning debt consolidation, relief under the bankruptcy law or preparation of the petition in bankruptcy within **one year** immediately preceding the commencement of this case.

| NAME AND ADDRESS<br>OF PAYEE | DATE OF PAYMENT,<br>NAME OF PAYOR IF OTHER<br>THAN DEBTOR | AMOUNT OF MONEY<br>OR DESCRIPTION AND VALUE<br>OF PROPERTY |
|------------------------------|---|--|
|------------------------------|---|--|

**10. Other transfers**

- None ☐ a. List all other property, other than property transferred in the ordinary course of the business or financial affairs of the debtor, transferred either absolutely or as security within **two years** immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include transfers by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

| NAME AND ADDRESS OF TRANSFEREE,<br>RELATIONSHIP TO DEBTOR | DATE | DESCRIBE PROPERTY TRANSFERRED<br>AND VALUE RECEIVED |
|---|------|---|
|---|------|---|

- None ☐ b. List all property transferred by the debtor within **ten years** immediately preceding the commencement of this case to a self-settled trust or similar device of which the debtor is a beneficiary.

| NAME OF TRUST OR OTHER<br>DEVICE | DATE(S) OF<br>TRANSFER(S) | AMOUNT OF MONEY OR DESCRIPTION AND<br>VALUE OF PROPERTY OR DEBTOR'S INTEREST<br>IN PROPERTY |
|----------------------------------|---------------------------|---|
|----------------------------------|---------------------------|---|

#### 11. Closed financial accounts

- None ☐ List all financial accounts and instruments held in the name of the debtor or for the benefit of the debtor which were closed, sold, or otherwise transferred within **one year** immediately preceding the commencement of this case. Include checking, savings, or other financial accounts, certificates of deposit, or other instruments; shares and share accounts held in banks, credit unions, pension funds, cooperatives, associations, brokerage houses and other financial institutions. (Married debtors filing under chapter 12 or chapter 13 must include information concerning accounts or instruments held by or for either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

| NAME AND ADDRESS OF INSTITUTION | TYPE OF ACCOUNT, LAST FOUR<br>DIGITS OF ACCOUNT NUMBER,<br>AND AMOUNT OF FINAL BALANCE | AMOUNT AND DATE OF SALE<br>OR CLOSING |
|---------------------------------|--|---------------------------------------|
|---------------------------------|--|---------------------------------------|

#### 12. Safe deposit boxes

- None ☐ List each safe deposit or other box or depository in which the debtor has or had securities, cash, or other valuables within **one year** immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include boxes or depositories of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

| NAME AND ADDRESS OF BANK<br>OR OTHER DEPOSITORY | NAMES AND ADDRESSES<br>OF THOSE WITH ACCESS<br>TO BOX OR DEPOSITORY | DESCRIPTION<br>OF CONTENTS | DATE OF TRANSFER OR<br>SURRENDER, IF ANY |
|---|---|----------------------------|--|
|---|---|----------------------------|--|

#### 13. Setoffs

- None ☐ List all setoffs made by any creditor, including a bank, against a debt or deposit of the debtor within **90 days** preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

| NAME AND ADDRESS OF CREDITOR | DATE OF SETOFF | AMOUNT OF SETOFF |
|------------------------------|----------------|------------------|
|------------------------------|----------------|------------------|

#### 14. Property held for another person

- None ☐ List all property owned by another person that the debtor holds or controls.

| NAME AND ADDRESS OF OWNER | DESCRIPTION AND VALUE OF<br>PROPERTY | LOCATION OF PROPERTY |
|---------------------------|--------------------------------------|----------------------|
|---------------------------|--------------------------------------|----------------------|

#### 15. Prior address of debtor

- None ☐ If the debtor has moved within **three years** immediately preceding the commencement of this case, list all premises which the debtor occupied during that period and vacated prior to the commencement of this case. If a joint petition is filed, report also any separate address of either spouse.

| ADDRESS | NAME USED | DATES OF OCCUPANCY |
|---------|-----------|--------------------|
|---------|-----------|--------------------|

#### 16. Spouses and Former Spouses

- None ☐ If the debtor resides or resided in a community property state, commonwealth, or territory (including Alaska, Arizona, California, Idaho, Louisiana, Nevada, New Mexico, Puerto Rico, Texas, Washington, or Wisconsin) within **eight years** immediately preceding the commencement of the case, identify the name of the debtor's spouse and of any former spouse who resides or resided with the debtor in the community property state.

NAME

**17. Environmental Information.**

For the purpose of this question, the following definitions apply:

"Environmental Law" means any federal, state, or local statute or regulation regulating pollution, contamination, releases of hazardous or toxic substances, wastes or material into the air, land, soil, surface water, groundwater, or other medium, including, but not limited to, statutes or regulations regulating the cleanup of these substances, wastes, or material.

"Site" means any location, facility, or property as defined under any Environmental Law, whether or not presently or formerly owned or operated by the debtor, including, but not limited to, disposal sites.

"Hazardous Material" means anything defined as a hazardous waste, hazardous substance, toxic substance, hazardous material, pollutant, or contaminant or similar term under an Environmental Law

- None ☐ a. List the name and address of every site for which the debtor has received notice in writing by a governmental unit that it may be liable or potentially liable under or in violation of an Environmental Law. Indicate the governmental unit, the date of the notice, and, if known, the Environmental Law:

| SITE NAME AND ADDRESS | NAME AND ADDRESS OF GOVERNMENTAL UNIT | DATE OF NOTICE | ENVIRONMENTAL LAW |
|-----------------------|---------------------------------------|----------------|-------------------|
|-----------------------|---------------------------------------|----------------|-------------------|

- None ☐ b. List the name and address of every site for which the debtor provided notice to a governmental unit of a release of Hazardous Material. Indicate the governmental unit to which the notice was sent and the date of the notice.

| SITE NAME AND ADDRESS | NAME AND ADDRESS OF GOVERNMENTAL UNIT | DATE OF NOTICE | ENVIRONMENTAL LAW |
|-----------------------|---------------------------------------|----------------|-------------------|
|-----------------------|---------------------------------------|----------------|-------------------|

- None ☐ c. List all judicial or administrative proceedings, including settlements or orders, under any Environmental Law with respect to which the debtor is or was a party. Indicate the name and address of the governmental unit that is or was a party to the proceeding, and the docket number.

| NAME AND ADDRESS OF GOVERNMENTAL UNIT | DOCKET NUMBER | STATUS OR DISPOSITION |
|---------------------------------------|---------------|-----------------------|
|---------------------------------------|---------------|-----------------------|

**18 . Nature, location and name of business**

- None ☐ a. *If the debtor is an individual*, list the names, addresses, taxpayer identification numbers, nature of the businesses, and beginning and ending dates of all businesses in which the debtor was an officer, director, partner, or managing executive of a corporation, partner in a partnership, sole proprietor, or was self-employed in a trade, profession, or other activity either full- or part-time within **six years** immediately preceding the commencement of this case, or in which the debtor owned 5 percent or more of the voting or equity securities within **six years** immediately preceding the commencement of this case.

*If the debtor is a partnership*, list the names, addresses, taxpayer identification numbers, nature of the businesses, and beginning and ending dates of all businesses in which the debtor was a partner or owned 5 percent or more of the voting or equity securities, within **six years** immediately preceding the commencement of this case.

*If the debtor is a corporation*, list the names, addresses, taxpayer identification numbers, nature of the businesses, and beginning and ending dates of all businesses in which the debtor was a partner or owned 5 percent or more of the voting or equity securities within **six years** immediately preceding the commencement of this case.

| NAME | LAST FOUR DIGITS OF SOC. SEC. NO./ COMPLETE EIN OR OTHER TAXPAYER I.D. NO. | ADDRESS | NATURE OF BUSINESS | BEGINNING AND ENDING DATES |
|------|--|---------|--------------------|----------------------------|
|------|--|---------|--------------------|----------------------------|

- None ☐ b. Identify any business listed in response to subdivision a., above, that is "single asset real estate" as defined in 11 U.S.C. § 101.

| NAME | ADDRESS |
|------|---------|
|------|---------|

The following questions are to be completed by every debtor that is a corporation or partnership and by any individual debtor who is or has been, within **six years** immediately preceding the commencement of this case, any of the following: an officer, director, managing executive, or

owner of more than 5 percent of the voting or equity securities of a corporation; a partner, other than a limited partner, of a partnership, a sole proprietor or self-employed in a trade, profession, or other activity, either full- or part-time.

(An individual or joint debtor should complete this portion of the statement **only** if the debtor is or has been in business, as defined above, within six years immediately preceding the commencement of this case. A debtor who has not been in business within those six years should go directly to the signature page.)

#### 19. Books, records and financial statements

- None ☐ a. List all bookkeepers and accountants who within **two years** immediately preceding the filing of this bankruptcy case kept or supervised the keeping of books of account and records of the debtor.

##### NAME AND ADDRESS

**Eric Culver**  
**829 S. 5th Street**  
**Raton, NM 87740**

**Ida Manly**  
**1 N. Charles Street**  
**Suite 2310**  
**Baltimore, MD 21201**

##### DATES SERVICES RENDERED

- None ☒ b. List all firms or individuals who within the **two years** immediately preceding the filing of this bankruptcy case have audited the books of account and records, or prepared a financial statement of the debtor.

##### NAME

##### ADDRESS

##### DATES SERVICES RENDERED

- None ☐ c. List all firms or individuals who at the time of the commencement of this case were in possession of the books of account and records of the debtor. If any of the books of account and records are not available, explain.

##### NAME

**Eric Culver**

##### ADDRESS

**829 S. 5th Street**  
**Raton, NM 87740**

**Ida Manly**

**1 N. Charles Street**  
**Suite 2310**  
**Baltimore, MD 21201**

- None ☒ d. List all financial institutions, creditors and other parties, including mercantile and trade agencies, to whom a financial statement was issued by the debtor within **two years** immediately preceding the commencement of this case.

##### NAME AND ADDRESS

##### DATE ISSUED

#### 20. Inventories

- None ☒ a. List the dates of the last two inventories taken of your property, the name of the person who supervised the taking of each inventory, and the dollar amount and basis of each inventory.

##### DATE OF INVENTORY

##### INVENTORY SUPERVISOR

##### DOLLAR AMOUNT OF INVENTORY (Specify cost, market or other basis)

- None ☒ b. List the name and address of the person having possession of the records of each of the two inventories reported in a., above.

##### DATE OF INVENTORY

##### NAME AND ADDRESSES OF CUSTODIAN OF INVENTORY RECORDS

**21 . Current Partners, Officers, Directors and Shareholders**

None ☒ a. If the debtor is a partnership, list the nature and percentage of partnership interest of each member of the partnership.

| NAME AND ADDRESS | NATURE OF INTEREST | PERCENTAGE OF INTEREST |
|------------------|--------------------|------------------------|
|------------------|--------------------|------------------------|

None ☐ b. If the debtor is a corporation, list all officers and directors of the corporation, and each stockholder who directly or indirectly owns, controls, or holds 5 percent or more of the voting or equity securities of the corporation.

| NAME AND ADDRESS | TITLE | NATURE AND PERCENTAGE OF STOCK OWNERSHIP |
|------------------|-------|--|
| Enterprise Trust | Owner | 100%                                     |

**22 . Former partners, officers, directors and shareholders**

None ☒ a. If the debtor is a partnership, list each member who withdrew from the partnership within **one year** immediately preceding the commencement of this case.

| NAME | ADDRESS | DATE OF WITHDRAWAL |
|------|---------|--------------------|
|------|---------|--------------------|

None ☒ b. If the debtor is a corporation, list all officers, or directors whose relationship with the corporation terminated within **one year** immediately preceding the commencement of this case.

| NAME AND ADDRESS | TITLE | DATE OF TERMINATION |
|------------------|-------|---------------------|
|------------------|-------|---------------------|

**23 . Withdrawals from a partnership or distributions by a corporation**

None ☒ If the debtor is a partnership or corporation, list all withdrawals or distributions credited or given to an insider, including compensation in any form, bonuses, loans, stock redemptions, options exercised and any other perquisite during **one year** immediately preceding the commencement of this case.

| NAME & ADDRESS OF RECIPIENT, RELATIONSHIP TO DEBTOR | DATE AND PURPOSE OF WITHDRAWAL | AMOUNT OF MONEY OR DESCRIPTION AND VALUE OF PROPERTY |
|---|--------------------------------|--|
|---|--------------------------------|--|

**24. Tax Consolidation Group.**

None ☒ If the debtor is a corporation, list the name and federal taxpayer identification number of the parent corporation of any consolidated group for tax purposes of which the debtor has been a member at any time within **six years** immediately preceding the commencement of the case.

| NAME OF PARENT CORPORATION | TAXPAYER IDENTIFICATION NUMBER (EIN) |
|----------------------------|--------------------------------------|
|----------------------------|--------------------------------------|

**25. Pension Funds.**

None ☒ If the debtor is not an individual, list the name and federal taxpayer identification number of any pension fund to which the debtor, as an employer, has been responsible for contributing at any time within **six years** immediately preceding the commencement of the case.

| NAME OF PENSION FUND | TAXPAYER IDENTIFICATION NUMBER (EIN) |
|----------------------|--------------------------------------|
|----------------------|--------------------------------------|

**DECLARATION UNDER PENALTY OF PERJURY ON BEHALF OF CORPORATION OR PARTNERSHIP**

I declare under penalty of perjury that I have read the answers contained in the foregoing statement of financial affairs and any attachments thereto and that they are true and correct to the best of my knowledge, information and belief.

Date September 17, 2007

Signature /s/ William L. Siskind  
**William L. Siskind**  
**Member**

[An individual signing on behalf of a partnership or corporation must indicate position or relationship to debtor.]

*Penalty for making a false statement: Fine of up to \$500,000 or imprisonment for up to 5 years, or both. 18 U.S.C. §§ 152 and 3571*

**United States Bankruptcy Court  
District of Maryland**

In re **La Mesa Racing, LLC**

Debtor(s)

Case No. **07-17069-NVA**

Chapter **11**

**VERIFICATION OF CREDITOR MATRIX**

I, the Member of the corporation named as the debtor in this case, hereby verify that the attached list of creditors is true and correct to the best of my knowledge.

Date: **September 17, 2007**

**/s/ William L. Siskind**

**William L. Siskind/Member**

Signer/Title



La Mesa Racing. LLC  
1620 South 2nd Street  
Raton, NM 87740

Alan M. Grochal  
Tydings & Rosenberg, LLP  
100 East Pratt Street  
26th Floor  
Baltimore, MD 21202

Altel  
One Allied Drive  
Building 4 Second Floor  
Little Rock, AR 72202

Cable & Wireless  
46020 Manekin Plaza  
Sterling, VA 20166

Casino del Caribe  
367 George Washington Avenue  
Santo Domingo  
Dominican Republic

Culver, Billie  
829 South 5th Street  
Raton, NM 87740

ILD Telecommunications  
8401 Datapoint Drive  
Suite 100  
San Antonio, TX 78229

John Morrow Estate  
c/o Linda Morrow  
P.O. Box 10  
Capulin, NM 88414

John Rovedo, CPA  
6817 Southpoint Parkway  
Suite 801  
Jacksonville, FL 32216

Quest  
P.O. Box 29060  
Phoenix, AZ 85038

Siskind, William  
3504 Old Court Road  
Pikesville, MD 21208

Transamerican Commercial Ltd.  
1 North Charles Street  
Suite 2310  
Baltimore, MD 21201

La Mesa Racing, LLC  
1620 South 2nd Street  
Raton, NM 87740

Alan M. Grochal  
Tydings & Rosenberg, LLP  
100 East Pratt Street  
26th Floor  
Baltimore, MD 21202

Altel  
One Allied Drive  
Building 4 Second Floor  
Little Rock, AR 72202

Cable & Wireless  
46020 Manekin Plaza  
Sterling, VA 20166

Casino del Caribe  
367 George Washington Avenue  
Santo Domingo  
Dominican Republic

Culver, Billie  
829 South 5th Street  
Raton, NM 87740

ILD Telecommunications  
8401 Datapoint Drive  
Suite 100  
San Antonio, TX 78229

John Morrow Estate  
c/o Linda Morrow  
P.O. Box 10  
Capulin, NM 88414

John Rovedo, CPA  
6817 Southpoint Parkway  
Suite 801  
Jacksonville, FL 32216

Quest  
P.O. Box 29060  
Phoenix, AZ 85038

Siskind, William  
3504 Old Court Road  
Pikesville, MD 21208

Transamerican Commercial Ltd.  
1 North Charles Street  
Suite 2310  
Baltimore, MD 21201

In re **LA Mesa Racing, LLC**Case No. **07-17069**

Debtor(s)

**SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS - AMENDED**

State the name, mailing address, including zip code, and last four digits of any account number of all entities holding unsecured claims without priority against the debtor, as of the date of filing of the petition. The complete account number of any account the debtor has with the creditor is useful to the trustee and the creditor and may be provided if the debtor chooses to do so. If a minor child is a creditor, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m). Do not include claims listed in Schedules D and E. If all creditors will not fit on this page, use the continuation sheet provided.

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor," include the entity on the appropriate schedule of creditors, and complete Schedule H - Codebtors. If a joint petition is filed, state whether the husband, wife, both of them, or the marital community may be liable on each claim by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community."

If the claim is contingent, place an "X" in the column labeled "Contingent." If the claim is unliquidated, place an "X" in the column labeled "Unliquidated." If the claim is disputed, place an "X" in the column labeled "Disputed." (You may need to place an "X" in more than one of these three columns).

Report the total of all claims listed on this schedule in the box labeled "Total" on the last sheet of the completed schedule. Report this total also on the Summary of Schedules and, if the debtor is an individual with primarily consumer debts, report this total also on the Statistical Summary of Certain Liabilities and Related Data.

☐ Check this box if debtor has no creditors holding secured claims to report on this Schedule F.

| CREDITOR'S NAME,<br>MAILING ADDRESS<br>INCLUDING ZIP CODE,<br>AND ACCOUNT NUMBER<br>(See instructions above.) | C<br>O<br>D<br>E<br>B<br>T<br>O<br>R | H<br>U<br>S<br>B<br>A<br>N<br>D<br>,<br>W<br>I<br>F<br>E<br>,<br>J<br>O<br>I<br>N<br>T<br>,<br>O<br>R<br>C<br>O<br>M<br>M<br>U<br>N<br>I<br>T<br>Y | DATE CLAIM WAS<br>INCURRED AND<br>CONSIDERATION FOR<br>CLAIM.<br>IF CLAIM IS SUBJECT TO<br>SETOFF, SO STATE. | C<br>O<br>N<br>T<br>I<br>N<br>G<br>E<br>N<br>T | U<br>N<br>L<br>I<br>Q<br>U<br>I<br>D<br>A<br>T<br>E<br>D | D<br>I<br>S<br>P<br>U<br>T<br>E<br>D | AMOUNT OF<br>CLAIM |
|---|--------------------------------------|--|--|--|--|--------------------------------------|--------------------|
|   |                                      |  |  |  |  |                                      |                    |
| ACCOUNT NO.   |                                      |  |  |  |  |                                      |                    |
| <b>Altel<br/>One Allied Drive<br/>Building 4, Second Floor<br/>Little Rock, AR 72202</b>                      |                                      | <b>N<br/>A</b>   |  | <b>X</b>                                       | <b>X</b>   |                                      | <b>350.00</b>      |
| ACCOUNT NO.   |                                      |  |  |  |  |                                      |                    |
| <b>Cable &amp; Wireless<br/>46020 Manekin Plaza<br/>Sterling, VA 20166</b>                                    |                                      | <b>N<br/>A</b>   |  | <b>X</b>                                       | <b>X</b>   |                                      | <b>359.22</b>      |
| ACCOUNT NO.   |                                      |  |  |  |  |                                      |                    |
| <b>Casino del Caribe<br/>367 George Washington Avenue<br/>Santo Domingo, Dominican<br/>Republic</b>           |                                      | <b>N<br/>A</b>   |  |  |  |                                      | <b>161,904.31</b>  |

B6F (Official Form 6F) (12/07) - Cont.

In re **LA Mesa Racing, LLC**Case No **07-17069**

Debtor(s)

**SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS - AMENDED**  
(Continuation Sheet)

| CREDITOR'S NAME,<br>MAILING ADDRESS<br>INCLUDING ZIP CODE,<br>AND ACCOUNT NUMBER<br>(See instructions above.) | C<br>O<br>D<br>E<br>B<br>T<br>O<br>R | H<br>W<br>J<br>C | Husband, Wife, Joint , or Community  | C<br>O<br>N<br>T<br>I<br>N<br>G<br>E<br>N<br>T | U<br>N<br>L<br>I<br>Q<br>U<br>I<br>D<br>A<br>T<br>E<br>D | D<br>I<br>S<br>P<br>U<br>T<br>E<br>D | AMOUNT OF<br>CLAIM |
|---|--------------------------------------|------------------|--|--|--|--------------------------------------|--------------------|
|   |                                      |                  | DATE CLAIM WAS<br>INCURRED AND<br>CONSIDERATION FOR<br>CLAIM.<br>IF CLAIM IS SUBJECT TO<br>SETOFF, SO STATE. |  |  |                                      |                    |
| ACCOUNT NO.   |                                      |                  |  |  |  |                                      |                    |
| <b>Culver, Billie<br/>829 South 5th Street<br/>Raton, NM 87740</b>  |                                      | <b>N<br/>A</b>   |  | <b>X</b>                                       | <b>X</b>   |                                      | <b>1,500.00</b>    |
| ACCOUNT NO.   |                                      |                  |  |  |  |                                      |                    |
| <b>ILE Telecommunications<br/>8401 Datapoint Drive<br/>Suite 100<br/>San Antonio, TX 78229</b>                |                                      | <b>N<br/>A</b>   |  | <b>X</b>                                       | <b>X</b>   |                                      | <b>950.01</b>      |
| ACCOUNT NO.   |                                      |                  |  |  |  |                                      |                    |
| <b>John Marrow Estate<br/>c/o Linda Marrow<br/>P.O. Box 10<br/>Capulin, NM 88414</b>                          |                                      | <b>N<br/>A</b>   |  | <b>X</b>                                       | <b>X</b>   |                                      | <b>2,500.00</b>    |
| ACCOUNT NO.   |                                      |                  |  |  |  |                                      |                    |
| <b>John Rovedo, CPA<br/>6817 Southpoint Parkway<br/>Suite 801<br/>Jacksonville, FL 32216</b>                  |                                      | <b>N<br/>A</b>   |  | <b>X</b>                                       | <b>X</b>   |                                      | <b>250.00</b>      |
| ACCOUNT NO.   |                                      |                  |  |  |  |                                      |                    |
| <b>Quest<br/>P.O. box 29060<br/>Phoenix, AZ 85038</b>   |                                      | <b>N<br/>A</b>   |  | <b>X</b>                                       | <b>X</b>   |                                      | <b>201.59</b>      |
| ACCOUNT NO.   |                                      |                  |  |  |  |                                      |                    |
| <b>Siskind, William<br/>3504 Old Court Road<br/>Pikesville, MD 21208</b>                                      |                                      | <b>N<br/>A</b>   |  | <b>X</b>                                       | <b>X</b>   |                                      | <b>5,700.00</b>    |

B6F (Official Form 6F) (12/07) - Cont.

In re **LA Mesa Racing, LLC**

Debtor(s)

Case No **07-17069**

**SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS - AMENDED**  
(Continuation Sheet)

| CREDITOR'S NAME,<br>MAILING ADDRESS<br>INCLUDING ZIP CODE,<br>AND ACCOUNT NUMBER<br><i>(See instructions above.)</i>   | C<br>O<br>D<br>E<br>B<br>T<br>O<br>R | H<br>W<br>J<br>C | Husband, Wife, Joint , or Community  | C<br>O<br>N<br>T<br>I<br>N<br>G<br>E<br>N<br>T | U<br>N<br>L<br>I<br>Q<br>U<br>I<br>D<br>A<br>T<br>E<br>D | D<br>I<br>S<br>P<br>U<br>T<br>E<br>D | AMOUNT OF<br>CLAIM |
|--|--------------------------------------|------------------|--|--|--|--------------------------------------|--------------------|
|  |                                      |                  | DATE CLAIM WAS<br>INCURRED AND<br>CONSIDERATION FOR<br>CLAIM.<br>IF CLAIM IS SUBJECT TO<br>SETOFF, SO STATE. |  |  |                                      |                    |
| ACCOUNT NO.  |                                      |                  |  |  |  |                                      |                    |
| <b>Transamerican Financial<br/>1 North Charles Street<br/>Suite 2301<br/>Baltimore, MD 21201</b>   |                                      | <b>N<br/>A</b>   |  | <b>X</b>                                       | <b>X</b>   |                                      | <b>3,256.38</b>    |
| Total<br>(Use only on last page of the completed Schedule F.)<br>(Report also on Summary of Schedules and, if applicable, on<br>the Statistical<br>Summary of Certain Liabilities and Related Data.) |                                      |                  |  |  |  |                                      | <b>176,971.51</b>  |

**United States Bankruptcy Court  
District of Maryland**

In re **LA Mesa Racing, LLC**

Debtor(s)

Case No.

Chapter

**11**

**CERTIFICATE OF SERVICE**

I hereby certify that on **August 25, 2009**, a copy of **Amended Schedule F and Declaration** were served electronically or by regular United States mail to all interested parties, the Trustee and all creditors on the attached matrix taken from the Court's website..

/s/ Jeffrey M. Sirody

**Jeffrey M. Sirody  
Sirody Freiman & Feldman  
1777 Reisterstown Road  
Suite 360 E  
Baltimore, MD 21208  
410-415-0445 Fax: 410-415-0744  
afreiman@sfflegal.com**



08/21/2009 12:38 FAX

CORPORATE-OFFICE

+ CDC-FAX

001/004

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF MARYLAND  
Baltimore Division**

|               |       |                        |
|---------------|-------|------------------------|
| In Re:        | *     | Case No.: 07-17069-NVA |
| LA MESA, LLC, | *     | Chapter 11             |
| Debtor.       | *     |                        |
| * * *         | * * * | * * *                  |


**DECLARATION OF DEBTOR**

I am over twenty-one years old and are competent to testify to the facts and matters set forth in this Declaration. I have personal knowledge of the facts and matters set forth in this Declaration.

1. On or about August 17, 2009, Jeffrey M. Sirody, our attorney, filed an Amended Schedule F, revising the status of previously scheduled creditors. I am aware of, and have approved of this filing.

I, Steven Vincent, Managing Member, acting on behalf of Debtor, La Mesa, LLC, solemnly swear and/or affirm under the penalties of perjury, that the contents of the foregoing Declaration are true and accurate to the best of my knowledge, information and belief.

Date: August 17, 2009

/s/   
Steven Vincent

Label Matrix for local noticing  
0416-1  
Case 07-17069  
District of Maryland  
Baltimore  
Tue Aug 25 14:27:34 EDT 2009

Jeffrey Siskind, Esquire  
c/o G. David Dean, Esquire  
Saul Ewing LLP  
500 East Pratt Street, Suite 800  
Baltimore, MD 21202-3171

Sirody Freiman & Feldman  
1777 Reisterstown Road  
Suite 360  
Baltimore, MD 21208-6318

Baltimore  
Baltimore Division  
101 West Lombard Street, Ste. 8530  
Baltimore, MD 21201-2605

Altel  
One Allied Drive  
Building 4 Second Floor  
Little Rock, AR 72202-2013

Culver, Billie  
829 South 5th Street  
Raton, NM 87740-4215

G. David Dean, Esq.  
Saul Ewing LLP  
Lockwood Place  
500 E. Pratt Street, Suite 800  
Baltimore, MD 21202-3171

ILD Telecommunications  
8401 Datapoint Drive  
Suite 100  
San Antonio, TX 78229-5382

John Morrow Estate  
c/o Linda Morrow  
P.O. Box 10  
Capulin, NM 88414-0010

Office of the US Trustee  
101 W. Lombard Street  
Ste. 2625  
Baltimore MD 21201-2668

Bank of America N.A.  
475 Crosspoint Pkwy  
P.O. Box 9000  
Getzville, NY 14068-9000

La Mesa Racing, LLC  
829 South 5th Street  
St. Raton, NM 87740-4215

Transamerican Commercial, Ltd.  
1 North Charles Street  
Suite 2310  
Baltimore, MD 21201-3700

Alan J. Perlman, Pro Hac Vice  
Adorno & Yoss, LLP  
350 E. Las Olas Blvd., Suite 1700  
Ft. Lauderdale FL 33301-4217

Cable & Wireless  
46020 Manekin Plaza  
Sterling, VA 20166-6639

Eric Culver  
829 South 5th Street  
Raton, NM 87740-4215

Gary R. Greenblatt  
Mehlman, Greenblatt & Hare, LLC  
723 South Charles Street  
Ste LL3  
Baltimore MD 21230-3853

Jeffrey M. Siskind, Esquire  
c/o G. David Dean, Esquire  
Saul Ewing, LLP  
500 E. Pratt Street, Suite 800  
Baltimore, MD 21202-3171

John Rovedo, CPA  
6817 Southpoint Parkway  
Suite 801  
Jacksonville, FL 32216-6292

Quest  
P.O. Box 29060  
Phoenix, AZ 85038-9060

Gray & Associates, LLC  
c/o Jodie E. Buchman  
DLA Piper US LLP  
6225 Smith Avenue  
Baltimore, MD 21209-3626

Lisa Morrow, PR of the Estate of John Morrow  
P.O. Box 10  
Capulin, NM 88414-0010

US Trustee - Baltimore 11  
Garmatz Federal Courthouse  
101 West Lombard Street  
Suite 2625  
Baltimore, MD 21201-2668

Alan M. Grochal  
Tydings & Rosenberg, LLP  
100 East Pratt Street  
26th Floor  
Baltimore, MD 21202-1097

Casino del Caribe  
367 George Washington Avenue  
Santo Domingo  
Dominican Republic

Eric N. Culver  
829 South 5th Street  
Raton NM 87740-4215

Gray & Associates, LLC  
c/o Jodie E. Buchman  
6225 Smith Avenue  
Baltimore MD 21209-3626

Jeremy S. Friedberg  
Leitess Leitess Freidberg & Fedder, PC  
One Corporate Center  
10451 Mill Run Circle, Ste. 1000  
Owings Mills MD 21117-5519

La Mesa Racing, LLC  
1620 South 2nd Street  
Raton, NM 87740-2100

Richard M. Kremen, Esq.  
Jodie E. Buchman, Esquire  
DLA Piper US LLP  
6225 Smith Avenue  
Baltimore MD 21209-3626

Siskind, William  
3504 Old Court Road  
Pikesville, MD 21208-3123

Alan J. Perlman  
c/o Adorno & Yoss, LLP  
350 E. Las Olas Blvd., Ste. 1700  
Ft. Lauderdale, FL 33301-4217

Billie Culver  
829 South 5th Street  
Raton, NM 87740-4215

Jan Berlage  
Gohn Hankey & Stichel  
201 N. Charles Street  
Suite 2101  
Baltimore, MD 21201-4182

Jeffrey M. Sirody  
Sirody, Freiman & Feldman  
1777 Reisterstown Road  
Suite 360 E  
Baltimore, MD 21208-1306

Jeremy S. Friedberg  
Leitess Leitess Friedberg + Fedder PC  
One Corporate Center  
10451 Mill Run Circle, Suite 1000  
Owings Mills, MD 21117-5519

Stephen A. Vincent  
c/o Jeremy S. Friedberg  
One Corporate Center  
10451 Mill Run Circle, Suite 1000  
Owings Mills, MD 21117-5519

William L. Siskind  
1 N Charlrs street  
suite 2310  
Baltimore, MD 21201-3700

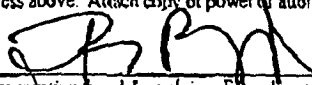
The following recipients may be/have been bypassed for notice due to an undeliverable (u) or duplicate (d) address.

(d)Transamerican Commercial Ltd.  
1 North Charles Street  
Suite 2310  
Baltimore MD 21201-3700

(d)Transamerican Commercial Ltd.  
1 North Charles Street  
Suite 2310  
Baltimore, MD 21201-3700

|                     |    |
|---------------------|----|
| End of Label Matrix |    |
| Mailable recipients | 37 |
| Bypassed recipients | 2  |
| Total               | 39 |

B 10 (Official Form 10) (12/08)

| UNITED STATES BANKRUPTCY COURT      District of Maryland   |   | PROOF OF CLAIM  |
|--|---|---|
| Name of Debtor:<br><b>La Mesa Racing, LLC</b>  |   | Case Number:<br><b>07-17069 VA</b>  |
| NOTE: This form should not be used to make a claim for an administrative expense arising after the commencement of the case. A request for payment of an administrative expense may be filed pursuant to 11 U.S.C. § 503.  |   |   |
| Name of Creditor (the person or other entity to whom the debtor owes money or property):<br><b>Zokaite Properties, LP (as Assignee of Transamerican Commercial, Ltd.)</b>  |   | <input type="checkbox"/> Check this box to indicate that this claim amends a previously filed claim<br><br>Court Claim Number: _____<br>(If known)<br><br>Filed on: _____   |
| Name and address where notices should be sent:<br><b>Frank R. Zokaite<br/>Zokaite Properties, LP<br/>375 Golfside Drive, Wexford, Pennsylvania 15090</b>   |   |   |
| Telephone number:<br><b>(724) 935-5257</b>   |   |   |
| Name and address where payment should be sent (if different from above):<br><b>Frank R. Zokaite<br/>Zokaite Properties, LP<br/>375 Golfside Drive, Wexford, Pennsylvania 15090</b>   |   | <input type="checkbox"/> Check this box if you are aware that anyone else has filed a proof of claim relating to your claim. Attach copy of statement giving particulars.<br><br><input type="checkbox"/> Check this box if you are the debtor or trustee in this case.   |
| Telephone number:<br><b>(724) 935-5257</b>   |   |   |
| 1. Amount of Claim as of Date Case Filed: \$ <u>151,500.00</u>   |   | 5. Amount of Claim Entitled to Priority under 11 U.S.C. § 507(a). If any portion of your claim falls in one of the following categories, check the box and state the amount.<br><br>Specify the priority of the claim.<br><br><input type="checkbox"/> Domestic support obligations under 11 U.S.C. § 507(a)(1)(A) or (a)(1)(B).<br><br><input type="checkbox"/> Wages, salaries, or commissions (up to \$10,950*) earned within 180 days before filing of the bankruptcy petition or cessation of the debtor's business, whichever is earlier - 11 U.S.C. § 507 (a)(4).<br><br><input type="checkbox"/> Contributions to an employee benefit plan - 11 U.S.C. § 507 (a)(5).<br><br><input type="checkbox"/> Up to \$2,425* of deposits toward purchase, lease, or rental of property or services for personal, family, or household use - 11 U.S.C. § 507 (a)(7).<br><br><input type="checkbox"/> Taxes or penalties owed to governmental units - 11 U.S.C. § 507 (a)(8).<br><br><input type="checkbox"/> Other - Specify applicable paragraph of 11 U.S.C. § 507 (a)( ).<br><br>Amount entitled to priority:<br>\$ <u>0.00</u><br>*Amounts are subject to adjustment on 4/1/10 and every 3 years thereafter with respect to cases commenced on or after the date of adjustment. |
| If all or part of your claim is secured, complete item 4 below; however, if all of your claim is unsecured, do not complete item 4.<br><br>If all or part of your claim is entitled to priority, complete item 5.<br><br><input checked="" type="checkbox"/> Check this box if claim includes interest or other charges in addition to the principal amount of claim. Attach itemized statement of interest or charges.  |   |   |
| 2. Basis for Claim: <u>Money loaned</u><br>(See instruction #2 on reverse side.)   |   |   |
| 3. Last four digits of any number by which creditor identifies debtor: _____<br><br>3a. Debtor may have scheduled account as: _____<br>(See instruction #3a on reverse side.)  |   |   |
| 4. Secured Claim (See instruction #4 on reverse side.)<br>Check the appropriate box if your claim is secured by a lien on property or a right of setoff and provide the requested information.<br><br>Nature of property or right of setoff: <input type="checkbox"/> Real Estate <input type="checkbox"/> Motor Vehicle <input type="checkbox"/> Other<br>Describe: _____<br><br>Value of Property: \$ _____ Annual Interest Rate _____ %<br><br>Amount of arrearage and other charges as of time case filed (included in secured claim).<br><br>If any: \$ _____ Basis for perfection: _____<br><br>Amount of Secured Claim: \$ _____ Amount Unsecured: \$ _____ |   |   |
| 6. Credits: The amount of all payments on this claim has been credited for the purpose of making this proof of claim.  |   |   |
| 7. Documents: Attach redacted copies of any documents that support the claim, such as promissory notes, purchase orders, invoices, itemized statements of running accounts, contracts, judgments, mortgages, and security agreements. You may also attach a summary. Attach redacted copies of documents providing evidence of perfection of a security interest. You may also attach a summary. (See instruction 7 and definition of "redacted" on reverse side.)<br><br>DO NOT SEND ORIGINAL DOCUMENTS. ATTACHED DOCUMENTS MAY BE DESTROYED AFTER SCANNING.<br><br>If the documents are not available, please explain: _____                                     |   |   |
| Date:<br><b>10/14/2009</b>   | Signature: The person filing this claim must sign it. Sign and print name and title, if any, of the creditor or other person authorized to file this claim and state address and telephone number if different from the notice address above. Attach copy of power of attorney, if any.<br><br><div style="text-align: center; font-size: 1.5em;">  </div> |   |

Penalty for presenting fraudulent claim: Fine of up to \$500,000 or imprisonment for up to 5 years, or both. 18 U.S.C. §§ 152 and 3571.

EXHIBIT 3

ATTACHMENT

151,550

Amount of Claim as of Date Case Filed: \$151,500.00.

Loan made on or about March 20, 2002,  
calculated @ 6% (pursuant to Pennsylvania law), is \$68,859.86

Total debt, as of this filing is \$220,359.86